

REMARKS

In response to the communication from the Examiner dated 2/08/2005, claims 1-5 were rejected in the first office action; Applicant respectfully traverses. Applicant respectfully requests the Examiner's reconsideration of the rejection of the claims based on the following:

1) None of the prior art cited for the basis of the rejection solve the previously unrecognized problem of access to a large truck's windshield, windshield wipers and top running lights as does the present invention. The main cited reference Law does not mention or suggest that the Law device could or should be used to access the above-referenced truck areas. The specifications and claims of Law all relate to the location of being "mounted on a tire of a vehicle" while this invention does not.

Further, it is physically impossible for an operator of the Law device to reach the above-referenced truck areas (windshield, windshield wipers and top running lights) and Law does not suggest any other location except for the tire. Hence, this new location and use are not obvious to one skilled in the art as taught by Law and the new and unexpected results of the present invention (access to a large truck's windshield, windshield wipers and top running lights) should be patentable over Law.

2) Likewise, Arreola does not teach this location and use; in fact, Arreola teaches away from the present invention because its use is for "stepping into and out of vehicles" as stated in the specifications and for "entering and exiting vehicles" as stated in the claims. Thus, the present invention should be patentable for this new location and use that is neither suggested to be combined by Law or Arreola nor is the present invention "slidably attached" to the truck as taught by Arreola. Arreola additionally claims a "pair

of spaced supports” and Law claims “a support frame having first and second upper ends and having first and second lower ends” (essentially a pair) while the present invention requires (and claims) at least one vertical member, distinguished from Law and Arreola

3) Again, Dudley does not teach or suggest to be combined with either Law or Arreola to be used in this invention’s new and unobvious location and use. Like Law, Dudley teaches a portable step apparatus to be used on the tire (as in Law) or the bumper, both locations which are different from the present invention. Again, it would be physically impossible for an operator using the Dudley invention to reach or access the above-referenced truck areas (windshield, windshield wipers and top running lights) that is accomplished by the present invention.

Dudley also claims “a support frame assembly means having a pair of side support frame members” while the present invention requires and claims only one vertical support in the claimed embodiment. Thus, the present invention omits and eliminates the need for “a pair” of supports as required for all three of the cited prior arts, without any reduction in capability (in fact, increased capability to reach new areas of a truck not possible by the prior art). This reduction of elements results in advantages over the prior art of improved reliability, less weight, cost and labor required to make and use the present invention. It is not possible to access the windshield, windshield wipers and top running lights of large trucks with the prior art cited, as is possible with this invention.

None of the cited prior art discloses any reference to the location as “integrated into or attached to the truck chassis or frame” nor suggests that location as does the present invention and is shown in the drawings of the present invention.

As such, Applicant respectfully requests the Examiner reconsider his rejection of this claimed invention and recognize the new location and use of the present invention as different from and advantages over the prior art that make this invention non-obvious to one skilled in the art and accordingly approve the claims as written.

Respectfully submitted,

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